

REMARKS

Applicant has carefully studied the outstanding Office Action in the present application. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

The specification is objected to because the title of the invention is not descriptive. The title has been amended.

Claims 32-34, 36-40, 42-45 and 47-53 are objected to because of informalities. Claim 33 has been amended to overcome the objection. The remaining claims have all been cancelled.

Claims 31-35, 38-48 and 51-53 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 31 and 33 have been amended in order to overcome the rejection. The remaining claims have all been cancelled.

Claims 31-33, 38-39, 41, 43-44 and 46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel et al (U.S. 6,470,288) in view of Paul et al (U.S. 6,466,972) and Swartz et al (U.S. 2001/0015375). Claims 34, 40, 42, 45 and 47-53 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel et al, Paul et al, Swartz et al and Goodwin, II (U.S. 6,520,411). Claim 35 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel et al in view of Swartz et al. Claims 36-39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel et al and Swartz et al in view of Paul et al.

Keidel et al describes a remote adjustable fuel dispenser for dispenser diagnostics and remote telecommunication. Paul et al describes a system for creating server managed configuration information for computing devices.

Swartz et al describes a statistical sampling security methodology for use in a self-scanning checkout system. Goodwin III describes a method of displaying relative information using special segments in a liquid crystal display within an electronic price label.

Applicants express their appreciation to Examiners Haresh Patel and Larry Donaghue for the courtesy of an interview, which was granted to Applicants' representative, Sanford T. Colb (Reg. No. 26,856) on September 12, 2005. The substance of the interview is set forth in the Interview Summary.

At the interview, the patentability of claims 31 and 33 was discussed vis-à-vis the prior art of Keidel, Paul and Swartz. The Interview Summary states, in relevant part, "Mr. Larry Donaghue, Mr. Sanford T. Colb and the Examiner agreed to the attached proposed amendment to the claims 31 and 33 in order to overcome the prior arts."

Applicant has accordingly amended claims 31 and 33 as agreed.

None of the prior art relates to configuring selected point-of-sale terminals and a management center controlling both selected and non-selected point of sale terminals using applications which are specific to the selected point-of-sale terminals.

The claims have been amended, without prejudice, in order to greatly simplify the issues for examination. Claim 31 has been amended inter alia to include the recitation of claim 34. Claim 33 has been retained. All of the remaining claims have been cancelled without prejudice.

The combined subject matter of claims 31 and 34 was earlier rejected by the Examiner under 35 U.S.C. 103 based on a combination of four references dealing with highly disparate technologies.

It is respectfully submitted that absent hindsight, gained from the teaching of the present invention, it would not have been obvious to combine these references and that no suggestion to combine these references exists in the references as required by law.

Furthermore, referring to page 6, last paragraph of the Official Action, it is respectfully submitted that Paul-IBM, at Col 7, line 10 to Col 8, line 41, does not show or suggest the provision of the recited claim element as stated by the Examiner.

Additionally, referring to page 7, third last paragraph of the point of sale terminal, it is respectfully submitted that the cited portion of Swartz-Symbol Tech, at Col 8, paragraphs 48 and 49, show selection of the point of sale terminal by the shopper, and not by any computer system whatsoever. This is not analogous to the claimed methodology wherein an application is specific to selected point of sales terminals.

In view of the foregoing, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,



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